

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

IN RE:

TERI G. GALARDI,

Reorganized Debtor.

**THOMAS T. MCCLENDON, AS
LIQUIDATING TRUSTEE OF THE
GALARDI CREDITORS TRUST,**

Movant,

v.

BANK OF AMERICA, N.A.,

Respondent.

CHAPTER 11

CASE NO. 22-50035-JPS

CONTESTED MATTER

NOTICE OF OBJECTION TO CLAIM

THOMAS T. MCCLENDON, AS LIQUIDATING TRUSTEE OF THE GALARDI CREDITORS TRUST ("LIQUIDATING TRUSTEE") HAS FILED AN OBJECTION TO YOUR CLAIM IN THIS BANKRUPTCY CASE.

Your claim may be reduced, modified, or eliminated. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to eliminate or change your claim, then you or your attorney shall file with the court a written response to the objection on or before **June 2, 2023**. If you are receiving this notice by mail, you may add 3 days to the response date, in accordance with FRBP 9006(f). The objection or response should be sent to:

Clerk, U.S. Bankruptcy Court
Middle District of Georgia
P.O. Box. 1957
Macon, Georgia 31202
478-752-3506

If a response is filed, a hearing on the objection to your claim shall be held on: June 21, 2023, at 11:00 a.m. in Courtroom A at the U.S. Courthouse, 433 Cherry Street, Macon, Georgia 31201. Parties should consult the Court's website (www.gamb.uscourts.gov)

concerning whether the hearing will be in-person, telephonic, or virtual. Please refer to Administrative Order #145 for more guidance.

If you mail your response to the Court for filing, you shall send it early enough so that the court will **receive** the response on or before the response date stated above.

Any response shall also be served on the Liquidating Trustee.

If you or your attorneys do not take these steps, the court may decide you do not oppose the objection to your claim.

This notice is sent by the undersigned pursuant to LBR 9004-1.

This 3rd day of March, 2023.

/s/ Thomas T. McClendon
Thomas T. McClendon
Georgia Bar. No. 431452
699 Piedmont Ave NE
Atlanta, Georgia 30308
(404) 564-9300
tmcclendon@joneswalden.com
Liquidating Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
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CHAPTER 11

CASE NO. 22-50035-JPS

CONTESTED MATTER

**LIQUIDATING TRUSTEE’S OBJECTION TO
CLAIM NO. 43 OF BANK OF AMERICA, N.A.**

Thomas T. McClendon, as liquidating trustee of the Galardi Creditors Trust (“Liquidating Trustee”), Liquidating Trustee in the above-captioned case, files this objection (“Objection”) to the claim asserted by Bank of America, N.A. (“Respondent”) and respectfully shows this Court as follows:

BACKGROUND

1. On January 12, 2022 (“Petition Date”), Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§101 et seq. (“Bankruptcy Code”), in the United States Bankruptcy Court for the Middle District of Georgia, Macon Division (“Court”).

2. On April 14, 2023, the Court entered an Order Confirming the Joint Plan of Reorganization (Doc. No. 410) (the “Confirmation Order”).

3. The Effective Date of the Plan under the Confirmation Order is April 28, 2023.

4. Pursuant to the Confirmation Order, any objection to a proof of claim classified in Class 8 shall be filed by the Liquidating Trustee on or before the 120th day after the Effective Date.

5. On March 11, 2022, Bank of America, N.A. filed proof of claim number 43, asserting a claim for \$19,340.97 as an unsecured claim (the "Claim").

6. Such Claim was classified in Class 8 of the Plan.

DISCUSSION

7. The documentation attached to the Proof of Claim shows that the account holder is Galardi Eagle Lakes, LLC, not Teri G. Galardi, the debtor. *See* Claim 43, Part 2.

8. No documentation is attached to the Proof of Claim evidencing Ms. Galardi's liability.

WHEREFOR, the Liquidating Trustee requests the following relief:

- (a) That this Objection be sustained;
- (b) That the Claim be disallowed;
- (c) That the Court awards the Liquidating Trustee such other and further relief as is just and proper.

Respectfully submitted this 3rd day of May, 2023.

/s/ Thomas T. McClendon

Thomas T. McClendon
Georgia Bar. No. 431452
699 Piedmont Ave NE
Atlanta, Georgia 30308
(404) 564-9300
tmcclendon@joneswalden.com
Liquidating Trustee

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CONTESTED MATTER

CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing *Debtor's Objection to Claim of Bank of America, N.A.* (the "Objection") using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of and an accompanying link to the Objection to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing Program:

- **Michael Akemon** mutepe.akemon@richardslegal.com
- **Ainsworth G Dudley** adudleylaw@gmail.com
- **Evan Owens Durkovic** ecfgamb@aldridgepите.com, edurkovic@ecf.courtdrive.com
- **Robert G. Fenimore** robert.g.fenimore@usdoj.gov, Ustp.region21.mc.ecf@usdoj.gov
- **Will Bussell Geer** wgeer@rlkglaw.com, notices@nextchapterbk.com; willgeer@ecf.courtdrive.com; 2836@notices.nextchapterbk.com; 6717577420@filings.cketbird.com; geer.willb117921@notify.bestcase.com; emiller@rlkglaw.com
- **Whitney Warnke Groff** wgroff@law.ga.gov
- **Elizabeth A. Hardy** elizabeth.a.hardy@usdoj.gov, Ustp.region21.mc.ecf@usdoj.gov; elizabeth.hardy.collins@usdoj.gov
- **Brian K. Jordan** ecfgamb@aldridgepите.com, bjordan@ecf.courtdrive.com
- **Christina T. Lanier** christina.t.lanier@usdoj.gov, southern.taxcivil@usdoj.gov
- **Jonathan Loegel** jonathan@loegel.com
- **Roy E. Manoll** kdd@fbglaw.com
- **Louis G. McBryan** lmc Bryan@mcbryanlaw.com, alepage@mcbryanlaw.com
- **Garrett A. Nail** gnail@pgnlaw.com
- **James D. Silver** jsilver@kklaw.com, raldama@kklaw.com

- **Ward Stone** wstone@stoneandbaxter.com, lford@stoneandbaxter.com; mcathey@stoneandbaxter.com; dbury@stoneandbaxter.com; lchapman@stoneandbaxter.com; amoses@stoneandbaxter.com
- **Christopher W. Terry** chris@boytererry.com, terrycr40028@notify.bestcase.com
- **U.S. Trustee - MAC** Ustp.region21.mc.ecf@usdoj.gov

I further certify that I served a true and correct copy of the foregoing Objection on all parties referenced below via United States First Class Mail, postage prepaid:

Bank of America, N.A.
PO Box 673033
Dallas, TX 75276-3033

This 3rd day of May, 2023.

/s/ Thomas T. McClendon
Thomas T. McClendon
Georgia Bar. No. 431452
699 Piedmont Ave NE
Atlanta, Georgia 30308
(404) 564-9300
tmccclendon@joneswalden.com
Liquidating Trustee